

U.S. Department of Justice  
Immigration and Naturalization Service

Notice to Appear

## In removal proceedings under section 240 of the Immigration and Nationality Act

File No: A75 540 638  
CDC: K72631  
Rel Date: 10/16/98

In the Matter of:

Respondent: LOPEZ-Menera, Abel AKA: MENERA, Abel  
currently residing at C/O Calipatria State Prison, 7018 Blair Road, Calipatria, CA 92233  
(Number, street, city, state and ZIP code) (Area code and phone number)

- ☐ 1. You are an arriving alien.
- ☒ 2. You are an alien present in the United States who has not been admitted or paroled.
- ☐ 3. You have been admitted to the United States, but are deportable for the reasons stated below.

The Service alleges that you:

- ☒ 4. You are not a citizen or national of the United States
- ☒ 5. You are a native of Mexico and a citizen of Mexico.
- ☒ 6. You entered the United States at or near San Ysidro, California, on or about 10/1/89.
- ☒ 7. You were not then admitted or paroled after inspection by an Immigration Officer.

On the basis of the foregoing, it is charged that you are subject to removal from the United States pursuant to the following provision(s) of law:

212(a)(6)(A)(i) of the Immigration and Nationality Act, as amended, in that you are an alien present in the United States without being admitted or paroled, or who arrived in the United States at anytime or place other than as designated by the Attorney General.

- ☐ This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution.
- ☐ Section 235(b)(1) order was vacated pursuant to: ☐ 8 CFR 208.30(f)(2) ☐ 8 cfr 235.3(b)(5)(iv)

YOU ARE ORDERED to appear before an immigration judge of the United States Department of Justice at:

on 9/24/98 at Calipatria State Prison, 7018 Blair Road, Calipatria, California 92233  
 (Date) (Time) (Complete Address of Immigration court, including room Number, if any)  
 forth above. 0830 to show why you should not be removed from the United States based on the charge(s) set

*A. Neil Clark*  
 A. Neil Clark  
 Assistant Officer in Charge  
 (Signature and Title of Issuing Officer)  
 El Centro, California  
 (City and State)

Date: SEP 18 1998

See reverse for important information

Form I-862 (Rev. 4-1-97)

AL-000036

## Notice to Respondent

**Warning:** Any statement you make may be used against you in removal proceedings.

**Alien Registration:** This copy of the Notice to appear served upon you is evidence of your alien registration while you are under removal proceedings. You are required to carry it with you at all times.

**Representation:** If you so choose, you may be represented in this proceeding, at no expense to the government, by an attorney or other individual authorized and qualified to represent persons before the Executive Office for Immigration Review, pursuant to 8 CFR 3.16. Unless you so request, no hearing will be scheduled earlier than ten days from the date of this notice, to allow you sufficient time to secure counsel. A list of qualified attorneys and organizations who may be available to represent you at no cost will be provided with this Notice.

**Conduct of the hearing:** At the time of your hearing, you should bring with you any affidavits or other documents which you desire to have considered in connection with your case. If any document is in a foreign language, you must bring the original and a certified English translation of the document. If you wish to have the testimony of any witnesses considered, you should arrange to have such witnesses present at the hearing.

At your hearing you will be given the opportunity to admit or deny any or all the allegations in the Notice to Appear and that you are inadmissible or deportable on the charges contained in the Notice of Appear. You will have an opportunity to present evidence on your own behalf, to examine any evidence presented by the government, to object, on proper legal grounds, to the receipt of evidence and to cross examine any witnesses presented by the Government.

You will be advised by the immigration judge before whom you appear, of any relief from removal for which you may appear eligible including the privilege of departing voluntarily. You will be given a reasonable opportunity to make any such application to the immigration judge.

**Failure to appear:** You are required to provide the INS, in writing, with your full mailing address and telephone number. You must notify the Immigration Court immediately by using Form EOIR-33 whenever you change your address or telephone number during the course of this proceeding. You will be provided with a copy of this form. Notices of hearing will be mailed to this address. If you do not submit Form EOIR-33 and do not otherwise provide an address at which you may be reached during proceedings, then the government shall not be required to provide you with written notice of your hearing. If you fail to attend the hearing at the time and place designated on this notice, or any date and time later directed by the Immigration Court, a removal order may be made by the immigration judge in your absence, and you may be arrested and detained by the INS.

## Request for Prompt Hearing

To expedite a determination in my case, I request an immediate hearing. I waive my right to have a 10-day period prior to appearing before an immigration judge. -

Before:

(Signature and title of INS Officer)

(Signature of Respondent)

Date:

## Certificate of Service

This Notice to appear was served on the respondent by me on 9-21-98, in the following manner and in compliance with section 239(1)(1)(F) of the Act:

(Date)

Aliens right index print

☒ in person ☐ by certified mail, return receipt requested ☐ by regular mail

☒ Attached is a list of organizations and attorneys which provide free legal services.

☒ The alien was provided oral notice in the Spanish language of the time

and

place of his or her hearing and of the consequences of failure to appear as provided in section 240(b)(7) of the Act.

(Signature of Respondent if Personally Served)

(Signature and Title of Officer)

"If you fail to attend the hearing at the time and place designated on this notice, or any date and time later designated by the Immigration Court, you shall not be eligible for discretionary relief under INA Section 240A (Cancellation of Removal), 240B (Voluntary departure), 245 (Adjustment of Status), 248 (Adjustment of nonimmigrant status), or 249 (Creation of Record of Admission), for a period of 10 years after the date of the entry of the Final Order of Removal."

"si no asiste a la audiencia en el tiempo y lugar designado en este aviso, o cualquier fecha y hora mas tarde designado por la corte de Inmigracion, no estara elegible por asistencia discrecional bajo INA Seccion 240A (Cancelacion de Deportacion), 240B (Salida Voluntaria), 245 (Ajuste de Residencia), 248 (Ajuste de no-inmigrante Residencia), o 249 (Creacion de Registro de Admision), por un periodo de 10 anos despues de la fecha indicada en la Orden Final de Deportacion."

I HAVE RECEIVED A COPY OF MY CONSEQUENCES FOR FAILURE TO APPEAR, RIGHTS TO AN ATTORNEY, LIST OF LEGAL SERVICES AND APPEAL RIGHTS:

RESPONDENT: X Abel Lopez Meneses Date: \_\_\_\_\_



Executive Office for Immigration Review

*Immigration Court*

2409 La Brucherie Road  
Imperial, CA 92251

## LIST OF FREE LEGAL SERVICE PROVIDERS

### CATHOLIC CHARITIES

250 W. Orange Avenue  
El Centro, CA 92243  
Telephone: (760)353-6822

\*May charge a nominal fee.  
\*\*Able to represent non-detained  
aliens primarily.  
\*\*\*Will represent persons applying  
for asylum.

### CARDENAS & FIFIELD

1030 Broadway Avenue, Ste. 108  
El Centro, CA 92243  
Telephone: (760)353-5710

\*Will represent aliens in all types of  
Immigration matters.  
\*Will represent persons applying  
for asylum.

### BOURNAZIAN, JACK

110 W. "C" Street, Ste. 909  
San Diego, CA 92101  
Telephone: (619)702-6330

\*Will represent aliens in Removal  
Proceedings.  
\*\*Will represent persons applying for  
asylum.

### FINN, GARY

49613 Hwy. 86, Ste. B-21  
Coachella, CA 92236  
Telephone: (760)398-3779

\*Will represent aliens in Deportation  
And Removal Proceedings  
\*\*Will represent persons applying  
For asylum.

(Revision 7/1/98-EOIR)

LOS ANGELES AREA:

IMMIGRATION SERVICE OF SANTA ROSA  
132 N. MACLAY AVE  
SAN FERNANDO, CA 91340  
TELEPHONE: (818) 361-4341  
MAY CHARGE NOMINAL FEE  
WILL REPRESENT ALIENS IN ASYLUM

COACHELLA VALLEY IMMIGRATION  
SERVICE & ASSISTANCE INC.  
934 VELLA ROAD  
PALM SPRINGS, CA 92264  
TELEPHONE: (619) 327-1579  
MAY CHARGE NOMINAL FEE  
LIMITED TO RIVERSIDE CO.

CHABAD LUBAVICH RUSSIAN SYNAGOGUE  
7636 SANTA MONICA BLVD  
LOS ANGELES, CA 90045  
TELEPHONE: (213) 848-2999

PUBLIC COUNSEL  
601 SO. ARDMORE AVE  
LOS ANGELES, CA 90005  
TELEPHONE: (213) 385-2977  
WILL REPRESENT ALIEN IN ASYLUM  
WILL NOT REPRESENT CRIMINALS

INTERNATIONAL INSTITUTE OF LOS ANGELES  
435 S. BOYLE AVE  
LOS ANGELES, CA 90033  
TELEPHONE: (213) 264-6217  
WILL REPRESENT ALIENS IN ASYLUM  
WILL NOT REPRESENT CRIMINALS

LEGAL AID FOUNDATION OF LOS ANGELES  
1102 S. CRENSHAW BLVD  
LOS ANGELES, CA 90019  
TOLL FREE: 800 399-1529  
TELEPHONE: (213) 252-3800  
LIMITED TO LEGAL RESIDENT ALIENS

INTERNATIONAL INSTITUTE OF LOS ANGELES  
14701 FRIAR STREET  
VAN NUYS, CA 91411  
TELEPHONE: (818) 988-1332/1333  
WILL REPRESENT ALIENS IN ASYLUM

EL RESCATE LEGAL SERVICES  
1340 S. BONNIE BRAE STREET  
LOS ANGELES, CA 90006  
TELEPHONE: (213) 387-3284  
WILL NOT REPRESENT CRIMINAL ALIENS

CATHOLIC CHARITIES OF LOS ANGELES  
IMMIGRATION & REFUGEES SERVICES  
1530 W. NINTH STREET PO BOX 15095  
LOS ANGELES, CA 90015-0095  
TELEPHONE: (213) 251-3474  
WILL NOT MAKE APPEARANCES AT SAN PEDRO  
DETENTION FACILITY /NOMINAL FEE

SAN FERNANDO VALLEY NEIGHBORHOOD  
LEGAL SERVICES, INC.  
13327 VAN NUYS BLVD  
PACOIMA, CA 91331  
TELEPHONE: (818) 896-5211

CATHOLIC CHARITIES OF ORANGE COUNTY  
1506 BROOKHOLLOW DR. STE. 112  
SANTA ANA, CA 92705  
TELEPHONE: (714) 662-7500  
WILL NOT MAKE APPEARANCES AT SAN PEDRO  
DETENTION FACILITY

ONE STOP IMMIGRATION CENTER, INC  
3600 WHITTIER BLVD  
LOS ANGELES, CA 90023  
TELEPHONE: (213) 268-8472  
WILL REPRESENT ALIENS IN ASYLUM

SAN FRANCISCO BAR ASSOCIATION,  
LAWYER REFERRAL SERVICE  
685 MARKET STREET STE. 700  
SAN FRANCISCO, CA 94105  
TELEPHONE: (415) 746-1616  
CONSULTATION FEE: \$25.00

CENTRAL AMERICAN REFUGEE CENTER (CARECEN)  
1245 ALABAMA STREET  
SAN FRANCISCO, CA 94110  
TELEPHONE: (415) 824-2330

INTERNATIONAL INSTITUTE OF SAN FRANCISCO  
2209 VAN NESS AVENUE  
SAN FRANCISCO, CA 94109  
TELEPHONE: (415) 673-1720

MISSION COMMUNITY LEGAL DEFENSE, INC.  
2940 - 16TH STREET STE. #207  
SAN FRANCISCO, CA 94103  
TELEPHONE: (415) 552-0770

LA RAZA CENTRO LEGAL, INC.  
474 VALENCIA STREET STE. #295  
SAN FRANCISCO, CA 94103  
TELEPHONE: (415) 575-3500

MINORITY ASSISTANCE SERVICE  
3004 - 16TH STREET STE. #102  
SAN FRANCISCO, CA 94103  
TELEPHONE: (415) 552-8831

CATHOLIC SOCIAL SERVICE IMMIGRATION  
9890 NEWMAN COURT  
SACRAMENTO, CA 95819  
TELEPHONE: (916) 452-7481

SACRAMENTO COUNTY BAR ASSOC.  
LAWYER REFERRAL SERVICE  
901 "H" STREET SUITE 101  
SACRAMENTO, CA 95814  
TELEPHONE: (916) 444-2333  
CONSULTATION FEE: \$25.00

CATHOLIC CHARITIES IMMIGRATION  
2629 ZANKER ROAD STE #201  
SAN JOSE, CA 95134  
TELEPHONE: (408) 944-0691  
\$20.00 FEE

CENTER FOR EMPLOYMENT TRAINING  
CENTRO DE INMIGRACION  
SAN JOSE, CA 95110  
TELEPHONE: (408) 287-7924

CATHOLIC CHARITIES IMMIGRATION  
1705 SECOND AVENUE  
SALINAS, CA 93905  
TELEPHONE: (408) 422-9602

CATHOLIC CHARITIES IMMIGRATION  
406 MAIN STREET ROOM 219  
WATSONVILLE, CA 95076  
TELEPHONE: (408) 722-2675

COUNSEL FOR THE SPANISH SPEAKING  
343 EAST MAIN, SECOND FLOOR  
STOCKTON, CA 95202  
TELEPHONE: (209) 547-2855

CATHOLIC CHARITIES IMMIGRATION PROJECT  
1232 THIRTY THIRD AVENUE  
OAKLAND, CA 94601  
TELEPHONE: (510) 261-1538

SAN MATEO COUNTY LAWYER  
REFERRAL SERVICE  
303 BRADFORD ST. STE #8  
REDWOOD CITY, CA 94063  
TELEPHONE: (415) 369-4149  
CONSULTATION: \$25.00

INTERNATIONAL RESCUE COMMITTEE OF SAN MATEO  
2600 MIDDLE FIELD ROAD  
REDWOOD CITY, CA 94063  
TELEPHONE: (415) 780-7260

SANTA CLARA BAR ASSOCIATION  
LAWYER REFERRAL SERVICE  
MODEST MEANS PANEL  
4 NORTH SECOND STREET STE 400  
SAN JOSE, CA 95113  
TELEPHONE: (408) 971-6822

COALITION FOR IMMIGRATION  
& REFUGEE RIGHTS & SERVICES  
TELEPHONE NUMBER ONLY  
(415) 543-6767

2

A. JZ JNA AND LAS VEGAS

FRIENDLY HOUSE  
802 S. 1ST AVENUE  
PO BOX 3695  
PHOENIX, AZ 85030  
TELEPHONE: (602) 257-1870  
WILL REPRESENT ALIENS IN ASYLUM  
NOMINAL FEE

CATHOLIC SOCIAL SERVICES OF PHOENIX  
1825 W. NORTHERN STREET  
PHOENIX, AZ 85021  
TELEPHONE: (602) 997-6105  
WILL REPRESENT ALIENS IN ASYLUM  
NOMINAL FEE

SOUTHERN ARIZONA LEGAL AID  
1071 N. GRAND STE. 110  
NOGALES, AZ 85621  
TELEPHONE: (520) 287-9441

CHICANOS POR LA CAUSA  
PO BOX 517 312 W. MAIN ST  
SOMERTON, AZ 85350  
TELEPHONE: (520) 627-2042  
NOMINAL FEE

FLORENCE IMMIGRANT & REFUGEE RIGHTS  
PROJECT  
300 S. MAIN STREET PO BOX 654  
FLORENCE, AZ 85232  
TELEPHONE: (520) 868-0191  
WILL REPRESENT AIENS IN ASYLUM

SOUTHERN ARIZONA LEGAL AID  
64 E. BROADWAY BLVD  
TUCSON, AZ 85701  
TELEPHONE: (520) 623-9461  
(800) 234-7252

TECLA  
PO BOX 3007  
631 S. 6TH AVENUE  
TUCSON, AZ 85702  
TELEPHONE: (520) 623-5739

SOUTHERN ARIZONA LEGAL AID  
P O BOX GG 1065 "F" AVENUE  
DOUGLAS, AZ 85608  
TLEPHONE: (520) 364-7973  
(800) 231-7106

CATHOLIC SOCIAL SERVICES  
IMMIGRATION DEPARTMENT  
ST. VINCENT PLAZA  
1501 LAS VEGAS BLVD N.  
LAS VEGAS, NV 89101  
TELEPHONE: (702) 383-8387  
FAX 385-7748  
NOMINAL FEE / WILL REPRESENT ALIENS IN ASYLUM

3



FRESNO AND BAKERSFIELD AREA

FRESNO COUNTY BAR ASSOCIATION  
ATTORNEY REFERRAL SERVICE  
2014 TULARE STREET STE#420  
FRESNO, CA 93721  
TELEPHONE: (209) 264-0137  
CONSULTATION FEE: \$15.00

EL CONCILIO IMMIGRATION PROJECT  
1532 FRESNO STREET  
FRESNO, CA 93706  
TELEPHONE: (209) 485-0679

CALIFORNIA RURAL LEGAL ASSISTANT  
1111 FULTON MALL  
FRESNO, CA 93721  
TELEPHONE: (209) 237-3944  
1-800-553-4503

O.L.A. RAZA, INC  
1630 -19TH STREET P O BOX 2303  
BAKERSFIELD, CA 93303  
TELEPHONE: (805) 324-1667

SAN DIEGO AREA:

LAWYERS REFERRAL SERVICE  
SAN DIEGO CUNTY BAR ASSOCIATION  
1333 -7TH AVENUE  
SAN DIEGO, CA 92101  
TELEPHONE: (619) 231-8585  
NOMINAL FEE  
WILL REPRESENT ALIENS IN ASYLUM CASES

CATHOLIC CHARITIES  
REFUGEE & IMMIGRANT SERVICES  
241 THIRD AVENUE STE A  
CHULA VISTA, CA 91910  
TELEPHONE: (619) 498-0722  
NOMINAL FEE  
WILL REPRESENT ALIENS IN ASYLUM  
CASES

LEGAL AID SOCIETY OF SAN DIEGO, INC  
110 SOUTH EUCLID AVENUE  
SAN DEIGO, CA 92114  
TELEPHONE: (619) 262-5557

CATHOLIC CHARITIES  
REFUGEE & IMMIGRANT SERVICES  
241 WEST VISTA WAY, STUITE D  
TELEPHONE: (619) 631-5890  
WILL REPRESENT ALIENS IN ASYLUM CASES

SAN DIEGO VOLUNTEER LAWYERS PROGRAM  
225 BROADWAY, SUITE 800  
SAN DIEGO, CA 92101  
TELEPHONE: (619) 235-5656  
ASYLUM & BATTERED SPOUSE CASES ONLY

SOFIA IMMIGRATION SERVICES  
401 WEST "A" STREE SUITE 1400  
SAN DIEGO, CA 92101  
TELEPHONE: (619) 235-0790  
WILL REPRESENT ALIENS IN ASYLUM CASES

4



UNITED STATES DEPARTMENT OF JUSTICE  
IMMIGRATION AND NATURALIZATION SERVICE

NOTIFICACION POR ESCRITO SOBRE LOS DERECHOS DE APELACION

SUS DERECHOS DE APELACION  
SIRVASE LEER ESTE AVISO CUIDADOSAMENTE

1. Se celebrara una audiencia sobre su caso ante un Juez de Inmigracion que rendira una decision al concluir dicha audiencia. Si no esta conforme con la decision, usted tendra el derecho de apelar ante la Junta de Apelaciones de Inmigracion, a menos que renuncie a su derecho de apelar.
2. La notificacion de que usted desea apelar su caso debera someterse al Juez de Inmigracion dentro de 10 dias a partir de la fecha en que el Juez rinda una decision sobre dicho caso. Si el Juez le envia la decision por correo, usted debera comunicar su deseo de apelar dentro de 13 dias a partir de la fecha en que el Juez envia la decision.
3. Para apelar su caso, usted debera llenar y someter, en triplicado, el formulario I-290A. Un Juez de Inmigracion o un funcionario de Inmigracion le podra suministrar dicho formulario.
4. Al presentar el formulario I-290A se debera pagar una cuota de US \$ \_\_\_\_\_, a menos que usted no este en condiciones de pagar dicha suma. En este caso, usted podra hacer una solicitud de extension de cuota de acuerdo con 8 C. F. R.; Secciones 3.3b y 103.7c. Para obtener una extension de cuota, usted debera presentar una declaracion jurada en la cual solicita que se le permita elevar un recurso de apelacion sin el pago de la cuota, y exponer las razones por las cuales considera que tiene derecho a esta extension, asi como las razones que le impiden pagar la cuota. Esta declaracion jurada debera presentarse con el formulario I-290A.
5. Usted podra consultar a un abogado que le ayude a elevar el recurso de apelacion, o podra tratar de obtener asistencia legal mediante uno de los programas que aparecen en la lista que se le ha proporcionado.
6. A menos que usted haya renunciado a su derecho de apelar la decision del Juez ante la Junta de Apelaciones de Inmigracion, no se le exigira salir de los Estados Unidos durante el periodo que se le ha adjudicado para elevar un recurso de apelacion; tampoco se requerira que salga de los Estados Unidos mientras la apelacion este pendiente ante la Junta, o mientras su caso esta ante la Junta para su certification.
7. Si usted ha decidido renunciar a su derecho a apelar la decision del Juez de Inmigracion, usted debera ejecutar la siguiente acta de renuncia:

El Juez de Inmigracion ha rendido una decision en mi caso de deportacion el \_\_\_\_\_.  
Me ha explicado el significado de tal decision y me ha advertido acerca de mi derecho de apelar ante la Junta de Apelaciones de Inmigracion.

Por lo presente, acepto la decision del Juez y renuncio a mi derecho de apelar.

\_\_\_\_\_  
FIRMA

\_\_\_\_\_  
SIGNATURE

United States Department of Justice  
Executive Office for Immigration Review

Your Appeal Rights  
Read This Notice Carefully

1. You will have a hearing by an Immigration Judge who will enter a decision after the hearing is completed. If you are not satisfied with that decision, you have a right to appeal to the Board of Immigration Appeals, unless you waive your right to appeal.
2. If you wish to appeal your case, you must complete and file a Notice of Appeal (Form EOIR-26) with the Board of Immigration Appeals. You must send the Form EOIR-26 so that it is received by the Board of Immigration Appeals within thirty (30) calendar days after the Immigration Judge's oral decision or within thirty (30) calendar days after the date the Immigration Judge's written decision was mailed if no oral decision was rendered. Simply mailing the Form EOIR-26 within the time limit may not insure that the Form EOIR-26 is timely received by the Board.
3. You can get a Form EOIR-26 from any Immigration Court.
4. You must pay a \$110.00 fee when filing the Form EOIR-26 (except there is no fee for an appeal of an Immigration Judge's bond decision). If you cannot afford this fee, then you may apply for a fee waiver. In order to ask for a fee waiver you must file, along with your appeal, an Appeal Fee Waiver Request (Form EOIR-26A). This form requests your monthly income and expenses and contains a sworn statement you must sign that asserts that the information in the form is true and correct to the best of your knowledge. The Board of Immigration Appeals will consider this information when deciding whether to grant your fee waiver request.
5. You may, at no expense to the government, consult with an attorney in order to assist with your appeal.
6. Unless you have waived your right to appeal from the Immigration Judge's decision to the Board of Immigration Appeals, you will not be required to depart from the United States during the time allowed for the filing of an appeal; further, you will not be required to depart from the United States while an appeal is pending before the Board or while your case is pending before the Board by way of certification.